

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HENRY BUSH,

Petitioner,

Case Number: 2:16-CV-12542
HON. GEORGE CARAM STEEH

v.

CATHERINE S. BAUMAN,

Respondent.

**ORDER GRANTING PETITIONER'S MOTION TO EXTEND TIME TO
FILE REPLY BRIEF AND DENYING MOTION TO APPOINT COUNSEL**

Petitioner Henry Bush filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The Court ordered Respondent to file a responsive pleading by January 12, 2017, and allowed Petitioner 45 days from the date of the responsive pleading to submit a reply. Now before the Court are Petitioner's Motion to Extend Time to File Reply Brief and Motion for Appointment of Counsel.

Petitioner requests until April 12, 2017 to file a reply brief. "When an act may or must be done within a specified time, the court may, for good cause, extend the time . . . with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires."

Fed. R. Civ. P. 6(b)(1)(A). Petitioner claims to require additional time to prepare his reply brief because he has limited access to the prison law library and no experience with the law. The Court finds that Petitioner has established good cause and grants his motion.

Petitioner also seeks the appointment of counsel. Petitioner has no absolute right to be represented by counsel on federal habeas corpus review. *See Abdur-Rahman v. Michigan Dept. of Corrections*, 65 F.3d 489, 492 (6th Cir. 1995); *see also Wright v. West*, 505 U.S. 277, 293 (1992) (citing *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987)). “[A]ppointment of counsel in a civil case is . . . a matter within the discretion of the court. It is a privilege and not a right.” *Childs v. Pellegrin*, 822 F.2d 1382, 1384 (6th Cir. 1987). A habeas petitioner may obtain representation at any stage of the case “[w]henever the United States magistrate or the court determines that the interests of justice so require.” 18 U.S.C. § 3006A(a)(2)(B). The Court determines that the interests of justice do not require appointment of counsel.

Accordingly, Petitioner’s Motion to Extend Time to File Reply Brief (ECF No. 10) is **GRANTED**, and the time for filing a reply brief is extended until April 12, 2017.

Petitioner's Motion for Appointment of Counsel (ECF No. 9) is

DENIED.

SO ORDERED.

Dated: March 29, 2017

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on March 29, 2017, by electronic and/or ordinary mail Henry S. Bush #33830, Alger Maximum Correctional Facility, N6141 Industrial Park Drive, Munising, MI 49862.

s/Barbara Radke
Deputy Clerk